

Joseph W. Cotchett (36324) jcotchett@cpmlegal.com  
Steven N. Williams (175489) swilliams@cpmlegal.com  
Elizabeth Tran (280502) etran@cpmlegal.com  
**COTCHETT, PITRE & McCARTHY, LLP**  
840 Malcolm Road  
Burlingame, CA 94010  
Tel: (650) 697-6000 Fax: (650) 697-0577

Richard M. Heimann (63607) [rheimann@lchb.com](mailto:rheimann@lchb.com)  
Eric B. Fastiff (182260) [efastiff@lchb.com](mailto:efastiff@lchb.com)  
Brendan P. Glackin (199643) [bglackin@lchb.com](mailto:bglackin@lchb.com)  
Dean M. Harvey (250298) [dharvey@lchb.com](mailto:dharvey@lchb.com)  
Lin Y. Chan (255027) [lchan@lchb.com](mailto:lchan@lchb.com)  
**LIEFF CABRASER HEIMANN & BERNSTEIN, LLP**  
275 Battery Street, 29<sup>th</sup> Floor  
San Francisco, CA 94111-3339  
Tel: (415) 956-1000 Fax: (415) 956-1008

*Attorneys for Plaintiff and the Proposed Class*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

TOY-KNOWLOGY INC., on behalf of  
itself and all others similarly situated,  
Plaintiff,  
v.  
Elna Co., Ltd.,  
Elna America Inc.,  
Hitachi Chemical Co., Ltd.,  
Hitachi Chemical Co. America, Ltd.,  
KEMET Corporation,  
KEMET Electronics Corporation,  
Matsuo Electric Co., Ltd.,  
NEC TOKIN Corporation,  
NEC TOKIN America Inc.,  
Nichicon Corporation,  
Nichicon America Corporation,  
Nippon Chemi-Con Corporation,  
United Chemi-Con, Inc.,  
Panasonic Corporation,  
Panasonic Corporation of North  
America, SANYO Electric Co., Ltd.,  
SANYO Electronic Device (U.S.A.)  
Corporation,  
Rubycon Corporation,  
Rubycon America Inc., and  
Toshin Kogyo Co., Ltd.  
Defendants.)  
Case No. 14-cv-04657-MEJ  
Master File No.: 14-cv-03264-JD  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER CASES  
SHOULD BE RELATED PURSUANT  
TO CIVIL LOCAL RULE 3-12  
The Honorable James Donato

**ADMINISTRATIVE MOTION TO CONSIDER WHETHER CASES SHOULD BE  
RELATED PURSUANT TO CIVIL LOCAL RULE 3-12**

1 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 PLEASE TAKE NOTICE that Plaintiff TOY-KNOWLOGY INC. submits this  
 3 Administrative Motion to Consider Whether Cases Should be Related pursuant to Civil Local  
 4 Rules 3-12 and 7-11. Plaintiff requests the Court to consolidate *Toy-Knowlogy Inc. v. Elna Co.,*  
 5 *Ltd.*, Case No. 14-cv-04657-MEJ (“Toy-Knowlogy Action”), with *In re Capacitors Antitrust*  
 6 *Litigation*, Master File No. 3:14-cv-03264-JD, for all pretrial proceedings before this Court.

7 **A. INTRODUCTION**

8 On October 2, 2014, the Honorable James Donato issued a Consolidation and Case  
 9 Management Order consolidating Case Nos. 3:14-cv-03264-JD, 3:14-cv-03300-JD, 3:14-cv-  
 10 03698-JD, 3:14-cv-03815-JD, and 3:14-cv-04123-JD into *In re Capacitors Antitrust Litigation*,  
 11 Master File No. 14-3264, for all pretrial proceedings. These cases concern an alleged conspiracy  
 12 to fix, raise, maintain, and/or stabilize prices for aluminum and tantalum electrolytic capacitors.

13 The Toy-Knowlogy Action meets the requirements of Civil Local Rules 3-12 and 7-11  
 14 to be related to *In re Capacitors Antitrust Litigation*. Plaintiff TOY-KNOWLOGY INC.  
 15 respectfully requests the Court issue an order formally relating this case to *In re Capacitors*  
 16 *Antitrust Litigation*.

17 **B. RELATIONSHIP OF THE ACTIONS**

18 The Toy-Knowlogy Action involves substantially overlapping parties and events as  
 19 cases that are part of *In re Capacitors Antitrust Litigation*. All actions allege that defendants  
 20 engaged in a conspiracy to fix, raise, maintain, and/or stabilize prices for aluminum and  
 21 tantalum electrolytic capacitors, in violation of the Sherman Act, 15 U.S.C. § 1 and/or  
 22 California’s antitrust and unfair competition laws.

23 Plaintiff Toy-Knowlogy seeks to represent a class of indirect purchasers that bought  
 24 capacitors from U.S. distributors for incorporation into other products.

25 Pursuant to Local Rule 3-12(b)(2), it appears likely that there will be an unduly  
 26 burdensome duplication of labor and expenses or the possibility of conflicting results if the  
 27 cases are conducted before different judges. Therefore, it will be more efficient for all cases to  
 28 proceed before the same judge so that these analyses and determinations are made by one Court.

## C. CONCLUSION

This action satisfies the criteria of Rule 3-12(b)(2). Plaintiff TOY-KNOWLOGY INC. therefore respectfully requests that this case be deemed related to *In re Capacitors Antitrust Litigation* and that it be assigned to the Honorable James Donato.

Dated: October 20, 2014

Respectfully submitted,

/s/ Steven N. Williams

Joseph W. Cotchett (36324)  
Steven N. Williams (175489)  
Elizabeth Tran (280502)

## COTCHETT, PITRE & McCARTHY, LLP

840 Malcolm Road, Suite 200  
Burlingame, CA 94010  
Telephone: 650-697-6000  
Facsimile: 650-697-0577  
[jcotchett@cpmlegal.com](mailto:jcotchett@cpmlegal.com)  
[swilliams@cpmlegal.com](mailto:swilliams@cpmlegal.com)  
[etran@cpmlegal.com](mailto:etran@cpmlegal.com)

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275 Battery Street, 29th Floor  
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Telephone: (415) 956-1000  
Facsimile: (415) 956-1008  
rheimann@lchb.com  
efastiff@lchb.com  
bglackin@lchb.com  
dharvey@lchb.com  
lchan@lchb.com

*Counsel for Plaintiff and Proposed Class*